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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA for the use of
NORTH STAR TERMINAL & STEVEDORE
COMPANY, d/b/a Northern Stevedoring &
Handling, and NORTH STAR TERMINAL &
STEVEDORE COMPANY, d/b/a Northern
Stevedoring & Handling, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of
SHORESIDE PETROLEUM, INC., d/b/a Marathon
Fuel Services, and SHORESIDE PETROLEUM,
INC., d/b/a Marathon Fuel Services, on its own
behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER
ROCK PRODUCTS, INC.; UNITED STATES
FIDELITY AND GUARANTY COMPANY; and
ROBERT A. LAPORE,

Defendants.

Case No. 3:98-cv-009-TMB

**NORTH STAR'S
REQUEST FOR ORAL
ARGUMENT UPON ALL
PENDING UNDECIDED
MOTIONS IN THE COURT'S
DISCRETION**

Plaintiff and Use Plaintiff North Star Terminal & Stevedore Company (“North Star”) requests oral argument upon **all** of the pending, undecided motions in this matter, **if** the Court decides in its discretion to order oral argument upon any of them, rather than schedule oral argument on just some of them, on a piecemeal basis, as has been requested by defendant United States Fidelity & Guaranty Company (“USF&G”). This motion is supported by the memorandum recently filed in support of North Star’s Limited Opposition to USF&G’s Latest Request for Oral Argument; Request for Oral Argument Upon All Pending Undecided Motions, in the Court’s Discretion; Notice of Availability of Counsel (Clerk’s Docket No. 601). This motion is being submitted because the filing at Clerk’s Docket No. 601 had to be designated as a response under the new electronic filing system and therefore risks not being considered a request for hearing at all, because this request enlarges upon that request, and because that request was not linked to the underlying motions on which oral argument is sought if the Court decides to grant oral argument. *Cf.* Alaska USDC Local Rule 7.2(a)(3)[B].

The underlying undecided motions, cross-motions, and joinders for summary judgment, determinations of law of the case, to preclude expert witnesses, and/or to strike to which this request applies are filed at Clerk’s Docket Nos. 476, 480, 488, 494, 496, 497, 499, 500, 504, 505, 507, 509, 518, 519, 523, 534, 537, 542, 546, 548, 552, 555, 561 and 565, together with all related filings including oppositions, replies and other responses.

Undersigned counsel also re-advises that he expects to be gone and unavailable for oral argument (including being unreachable by telephone) at remote sites in Alaska beginning about June 21, 2006 through July 11, 2006 and August 1, 2006 through August 18, 2006. Presumably

that will not be a problem, given the many pending motions and related filings suggesting oral argument would likely be held, if held, after mid-July.

Respectfully submitted at Anchorage, Alaska, on June 5, 2006.

s/ Michael W. Sewright
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CERTIFICATE OF SERVICE

I certify that on the 5th day of June, 2006,
a copy of the foregoing NORTH STAR'S
REQUEST FOR ORAL ARGUMENT
UPON ALL PENDING UNDECIDED
MOTIONS IN THE COURT'S
DISCRETION was served electronically to:

Steven S. Shamburek, Esq.
Traeger Machetanz, Esq.
Paul D. Stockler
Herbert A. Viergutz
C. Patrick Stoll, Esq.

s/ Michael W. Sewright